

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS JOSEPH DUNPHY JR.,

Petitioner,

No. CIV-S-04-2623 DFL KJM P

vs.

DAVID L. RUNNELS,

Respondent,

ORDER

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On July 18, 2005, respondent filed a motion to dismiss. Petitioner has not responded to the motion. Good cause appearing, IT IS HEREBY ORDERED that, within thirty days of the date of this order, petitioner shall file an opposition to respondent's July 18, 2005 motion to dismiss or a statement of non-opposition. Failure to comply with this order may result in a recommendation that this action be dismissed under Federal Rule of Civil Procedure 41(b) for failure to adhere to court orders.

DATED: October 11, 2005.


UNITED STATES MAGISTRATE JUDGE